

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Joshua Gardner, with the Cleveland Field Office of the United States Postal Inspection Service (hereinafter “USPIS”), having first been duly sworn according to law, hereby depose and say:

INTRODUCTION AND AGENT BACKGROUND

1. This affidavit is submitted in support of a criminal complaint charging JUSTIN WHITE with the following three (3) counts:

- i. Count 1: Conspiracy to Distribute and Possess with Intent to Distribute Methamphetamine, from on or about December 7, 2022 to on or about February 8, 2023, in violation of 21 U.S.C. §§ 846 and 841(a)(1), (b)(1)(A);
- ii. Count 2: Attempted Possession with Intent to Distribute Methamphetamine, on or about December 7, 2022, in violation of 21 U.S.C. §§ 846 and 841(a)(1), (b)(1)(A); and
- iii. Count 3: Possession with Intent to Distribute Methamphetamine, on or February 8, 2023, in violation of 21 U.S.C. § 841(a)(1), (b)(1)(A).

2. As a United States Postal Inspector, I am an investigative law enforcement officer of the United States of America within the meaning of Title 18, United States Code, Section 2510(7). I am empowered by law to conduct investigations of, and to make arrests for, offenses related to the U.S. Postal Service (USPS) and the mails, as authorized by Title 18, United States Code, Section 3061.

3. I have been employed by the USPIS for approximately three years, and am presently assigned to the Cleveland Field Office, Contraband Interdiction and Investigations team, which investigates the mailing of illegal drugs and their proceeds. I have been the case agent in multiple investigations leading to convictions in both U.S. District Court and state

courts.

4. I have received training in the detection and investigation of prohibited mailing offenses during a residential Basic Inspector Training program in Potomac, Maryland. I have also received training in financial investigations as they relate to drug trafficking organizations, money laundering, and asset forfeiture. I have received field training and participated in many aspects of USPIS drug investigations, including but not limited to, parcel interdiction, surveillance, controlled deliveries, execution of search warrants, interview and interrogation, confidential source/cooperating witness debriefing, and interception and analysis of electronic communications. I have written and executed search warrants that have resulted in the seizure of illegal drugs and evidence of drug violations. I am familiar with drug traffickers' methods of operation, especially as they relate to the Postal Service, including the storage, transportation, and distribution of drugs, the transfer and collection of money which represents the proceeds of drug trafficking, and money laundering.

5. I know based on my training and experience in previous drug investigations that drug traffickers often use any means available to them to transport narcotics. One common method of smuggling drugs is to ship narcotics via the U.S. Mails.

6. The information contained in this affidavit is based on my personal knowledge, information provided by other law enforcement officers and individuals, and the reports and memoranda of other law enforcement officers. The information in this affidavit is provided for the limited purpose of establishing probable cause for a criminal complaint. The information is

not a complete statement of all the facts relating to this case.

FACTS AND CIRCUMSTANCES REGARDING PROBABLE CAUSE

Methamphetamine Parcel Intended for JUSTIN WHITE on December 7, 2022

7. On December 6, 2022, Postal Inspectors from the Cleveland Field Office intercepted a United States Postal Service Priority Mail Express parcel bearing tracking number EI 623 710 061 US (hereinafter “East 175th parcel”) mailed on December 1, 2022, from Inglewood, California. The parcel was addressed to Zalunda Fussle, 1422 E 175th St, Cleveland, Ohio 44110 and bore a return address of Christiana Fussle, 2827 W 78th Pl, Inglewood, California 90305.

8. Continuing on the same day, Postal Inspector (PI) Gardner applied for and obtained a federal search warrant (1:22MJ3281) through the U.S. District Court for the Northern District of Ohio. PI Gardner executed the federal search warrant and recovered approximately 3,270 grams of a whiteish translucent crystalline substance, packaged within four black vacuum-sealed plastic bags. This substance was subjected to a field test at the USPIS Cleveland Field Office and was found to contain methamphetamine. The Cuyahoga County Regional Forensic Sciences Laboratory (CCRFSL) later examined the substance, and confirmed that it was approximately 3,108 grams of methamphetamine, a Schedule II controlled substance.

9. On December 7, 2022, investigators of the USPIS and DEA Cleveland Heroin Enforcement Group conducted a controlled delivery operation of the East 175th parcel to its delivery address. Prior to the controlled delivery, investigators removed all of the controlled substance and replaced it with sham substance. Investigators also placed electronic monitoring equipment inside the East 175th parcel which would notify law enforcement when the East 175th parcel was opened. Investigators also obtained an anticipatory search warrant that would permit

investigators to search the East 175th Street residence if the East 175th parcel was accepted inside and opened. In the event that the East 175th parcel was accepted into the house and not opened after a reasonable period of time, the anticipatory search warrant permitted investigators to enter the house for the purposes of recovering the East 175th parcel.

10. At approximately 3:15 PM on December 7, 2022, an undercover investigator, dressed as and acting in the capacity of a USPS letter carrier, delivered the East 175th parcel to its delivery address. Upon knocking on the front door of the residence, an adult female, identified here as A.C., answered the door. The undercover stated he had a parcel address to the last name “Fussle,” and A.C. accepted the East 175th parcel into the residence. The undercover then departed from the area.

11. Investigators waited in the area of the delivery, but never received an alert that the East 175th parcel had been opened. At approximately 5:00 PM, due to the operating environment, encroaching darkness, and the fact that the East 175th parcel had not yet been opened, investigators approached the residence, knocked on the door and executed the anticipatory search warrant to recover the East 175th parcel only. Upon knocking, A.C. opened the door and permitted the entry of investigators. Once inside the residence, investigators conducted a protective sweep of the residence and located the East 175th parcel in the dining room area, unopened.

12. Investigators identified themselves as U.S. Postal Inspectors and conducted a voluntary field interview of A.C. She stated she knew nothing about the East 175th parcel or what it contained, but that her adult daughter (hereinafter referred to as “S.W.”) was expecting the parcel and was receiving it for a friend. A.C. was unaware which friend her daughter was speaking of. It should be noted that investigators had seen S.W. (the daughter) departing the

residence earlier.

13. During the interview of A.C., S.W. returned to the residence and was subsequently interviewed inside the house. Prior to any questioning S.W. was read her rights per *Miranda* and advised she could stop answering questions at any time. S.W. provided a verbal acceptance of her *Miranda* rights and agreed to speak with investigators. S.W. stated her friend Justin WHITE asked her to receive the East 175th parcel, which S.W. believed contained marijuana. S.W. also stated the East 175th parcel was the third parcel she had received for WHITE. S.W. advised she never observed WHITE open the parcels, but that she would bring the parcels to WHITE's vehicle when he arrived at her residence. S.W. stated she had called WHITE using Apple FaceTime around 3:00PM that day to inform WHITE that the East 175th parcel had arrived.

14. S.W. subsequently signed a USPS Consent to Search form authorizing investigators to review her cellular telephone. S.W. told investigators that WHITE was listed in her contact list, with associated cellular telephone number ending in -7012 (hereinafter "TT-7012"). S.W. also directed investigators to WHITE's Instagram account, which included the username "chipp_baggs." An initial review of S.W.' cellular telephone revealed the following text message that WHITE (using TT-7012) sent to S.W. at 8:38AM on December 7, 2022: "Goodmorning it may be today if u home when they drop it off . . . FT [meaning FaceTime] when it do." It should be noted that the East 175th parcel had been scanned as "Processed through Cleveland USPS Facility" on December 7, 2022, at approximately 8:18AM, which would be displayed for anyone tracking the delivery status of the East 175th parcel.

15. S.W. confirmed WHITE's identity from a photograph on the "chipp_baggs" Instagram account. S.W. also agreed to participate in a recorded FaceTime (FT) call to WHITE

at TT-7012 in the presence of investigators. S.W. called WHITE at TT-7012 using FaceTime, and WHITE answered the call. The screen on S.W.' phone was black (meaning WHITE was not visible on the FaceTime call) but the audio was working. S.W. advised she was home and asked how long WHITE would be. WHITE said "alright" and hung up. According to S.W., she believed he was driving in his silver Infinity SUV during the call. S.W. said she believed WHITE knew "something was going on" because WHITE always shows his face on FaceTime and never hangs up on her.

16. While the interview of S.W. was taking place inside the E 175th Street residence, PI Kudley was outside at the front of the property, observing the vehicles that drove past the residence, and recording associated license plate information. One of the vehicles PI Kudley observed driving by the E 175th Street residence was a silver Infinity SUV with an Ohio temporary tag, that PI Kudley believed was P821873. Subsequently, after identifying JUSTIN WHITE as the target of this investigation, TFO Twombly conducted a query of law enforcement databases for JUSTIN WHITE. During this search, TFO Twombly identified several vehicles registered to WHITE, including a silver Infinity SUV with registration P821673 (which is one digit different than the silver Infinity SUV that PI Kudley saw drive past). Based on that information, along with S.W.' statement that WHITE seemed to know "something was going on" when they spoke on the phone, investigators concluded that WHITE likely drove by S.W.' house and became suspicious about law enforcement being there. It should also be noted that TFO Twombly's marked police vehicle with emergency lights on was outside the East 175th Street residence, and would have been visible to anyone driving by.

17. S.W. also stated that WHITE sells marijuana and "travels all the time", but added

she has not been to his residence since July 2022.

18. On December 9, 2022, investigators obtained, through an administrative subpoena to T-Mobile, subscriber records identifying Justin WHITE as the subscriber to which TT-7012 is ported.

19. Investigators also identified numerous T-Mobile internet protocol (IP) addresses that tracked the delivery status of the East 175th parcel through USPS. One of the IP addresses that tracked the delivery status of the parcel was that of TT-7012, which as noted above, is subscribed to WHITE.

20. WHITE was not immediately arrested or charged as a result of the December 7th controlled delivery to East 175th Street, as the investigation remained ongoing.

Methamphetamine Parcel Delivered to Justin White on February 8, 2023

21. On February 7, 2023, a United Parcel Service (“UPS”) delivery courier attempted to deliver a parcel to 1633 Belmar Road, Cleveland Heights, Ohio. The parcel was packaged as an “HP Slim Desktop PC”, shipped by a Craig Davis from UPS Store #2060, 4802 E. Ray Road Suite 23, Phoenix, Arizona, to “Mr. and Mrs. Anderson,” 1633 Belmar Road, Cleveland Heights, Ohio. That parcel is hereinafter referred to as the “Belmar Road parcel”.

22. Upon attempting to deliver the Belmar Road parcel, the UPS delivery courier found the delivery residence was occupied by multiple tenants, in what appeared to be a multi-family dwelling. Since there was not specific unit assigned to the parcel, the UPS courier returned the parcel to the UPS Facility.

23. Subsequently, someone claiming to be the sender of the package had called UPS inquiring about the package the morning of February 8, 2023. That person called from a phone number ending in -4370 (hereinafter “TT-4370”). The person using the -4370 phone number was

told about the multi-dwelling issue the courier had encountered. The caller then requested that the parcel be redelivered to the destination address and left on the porch.

24. Continuing on February 8, 2023, DEA Task Force Officer and Cuyahoga County Sheriff's Office (CCSO) Detective Anthony Quirino placed the Belmar Road parcel into a lineup containing several blank parcels, which emanated no narcotics odors. Narcotic detection canine "Jimmy," handled by Detective Quirino, was allowed to examine the lineup, at the UPS facility located at 331 Bishop Road, Highland Heights, Ohio. According to Detective Quirino, Jimmy gave a positive alert on the Belmar Road parcel and none of the blank parcels. According to Detective Quirino, this positive alert meant Jimmy detected the odor of an illegal drug emanating from the Belmar Road parcel.

25. Following the positive canine alert, Detective Quirino drafted a search warrant to search and seize the Belmar Road parcel. The search warrant was reviewed and approved by Cuyahoga County Court of Common Pleas Judge Steven Gaul.

26. Detective Quirino then executed the search warrant on the Belmar Road parcel, and found that the package contained an actual HP desktop computer tower. Within the computer tower, Detective Quirino identified three bundles wrapped in plastic, which appeared to contain narcotics. The three bundles collectively weighed approximately three and one-half (3 ½) pounds, and were found to contain a crystal-like substance resembling crystal methamphetamine. The substance was subjected to a field test and was found to contain methamphetamine, a Schedule II controlled substance.

27. Based on the investigation this far, Detective Quirino coordinated with members of the Drug Enforcement Administration (DEA) Cleveland District Office, to execute a controlled delivery of the Belmar Road parcel to the destination address of 1633 Belmar Road,

Cleveland Heights, Ohio.

28. On February 8, 2023, at approximately 12:30 PM, members of the DEA Cleveland Task Force, prepared for the controlled delivery operation. In doing so, investigators replaced most of the approximately 3.6 pounds of methamphetamine with sham, but left a representative sample of approximately 50 grams of the methamphetamine inside the Belmar Road parcel. Investigators placed electronic monitoring equipment into the Belmar Road parcel, which would notify law enforcement about the parcel's location and send an alert if opened. The parcel was repackaged and resealed. The Belmar Road parcel was turned over to DEA Task Force Officer (TFO) Jose Alcantara, who would be acting in an undercover (UC) capacity as a UPS courier to deliver the parcel.

29. At approximately 2:00 PM, investigators established surveillance at 1633 Belmar Road, Cleveland Heights, Ohio. At approximately 2:26 PM, TFO Alcantara arrived at the residence and delivered the Belmar Road parcel. While doing so, TFO Alcantara knocked on the front door of the residence and spoke with a resident. The resident refused to take the parcel, claiming that no one named "Mr. or Mrs. Anderson" resided there. TFO Alcantara then left with the parcel.

30. At approximately 2:34 PM, DEA TFO Orlando Almonte (posing as a representative of UPS) called the TT-4370 phone number that had called UPS to ask about the package earlier. In summary, during the phone call, TFO Almonte spoke to a person who identified themselves as "Craig." TFO Almonte explained to "Craig" that another attempt to deliver the Belmar Road parcel had been made, however a person at the home refused to take it. TFO Almonte asked "Craig" what UPS should do with the Belmar Road parcel; at which point "Craig" asked what his options were or if another attempt to deliver the Belmar Road parcel

could be conducted. “Craig” further explained that he has shipped packages to his “nephew” at this address in the past, and had never encountered a problem. “Craig” advised TFO Almonte he would contact his “nephew” to see where he currently was located, and if he was available to retrieve the package, before calling TFO Almonte back.

31. Shortly after this call, surveillance units observed a black Infinity SUV bearing Ohio license plate JXH9958 begin to tour the neighborhood. Surveillance units believed the driver of the Infinity SUV was slowly driving through the neighborhood, as if waiting for or looking for something. Utilizing law enforcement databases, investigators learned this vehicle bearing Ohio registration JXH9958 was registered to Justin WHITE.

32. At approximately 2:42 PM, TFO Almonte received a call back from “Craig” at TT-4370. In summary, during the call “Craig” stated that his “nephew” was on his way to pick up the parcel and would be arriving at the residence (1633 Belmar Road, Cleveland, Ohio) in approximately three to four minutes. “Craig” then instructed TFO Almonte to deliver the parcel at the side of the home, placing it in front of a black door. “Craig” then stated he had just talked to his “nephew”, who claimed to have just arrived.

33. By this time, surveillance units noted that JUSTIN WHITE’s black Infinity SUV bearing Ohio license plate JXH9958, had backed into a driveway of a home located at 2835 Avondale Avenue, Cleveland Heights, Ohio. It should be noted that Avondale Avenue and Belmar Road intersect, and that 2835 Avondale Avenue is approximately 150 to 200 feet away from 1633 Belmar Road. The driver of the black Infinity SUV, later identified as JUSTIN WHITE, was a black male, wearing all black, including a black ski mask. It should be noted a surveillance unit was parked directly in front of this location and was able to maintain constant surveillance of this vehicle. After some time, investigators determined that WHITE had possibly

noticed the surveillance unit directly in front of him. Investigators decided to move the surveillance unit out of the area to see what WHITE would do next.

34. At approximately 3:28 PM, almost immediately after the aforementioned surveillance unit had departed the area, other surveillance units in the area observed WHITE's black Infinity SUV leave the driveway of 2835 Avondale Avenue, Cleveland Heights, Ohio, and drive to 1633 Belmar Road, Cleveland Heights, Ohio, parking directly in front of the door where the Belmar Road parcel was located. WHITE then exited the SUV, walked towards the package, grabbed it, and walked back to the vehicle. WHITE then reentered his black Infinity SUV with the Belmar Road parcel. At this point, investigators and Ohio State Highway Patrol (OSHP) marked vehicles surrounded WHITE in his Infinity SUV and placed WHITE under arrest. WHITE was the sole occupant of the Infinity SUV.

35. Following WHITE's arrest, he was searched and found to have three (3) cell phones on his person. The Belmar Road parcel was found inside WHITE's vehicle unopened and was seized.

36. WHITE was then transported to the Cuyahoga County Justice Center and held pending the issuance of formal charges.

37. Prior to clearing the scene, investigators called TT-7012 (the phone number for WHITE from the December 7th controlled delivery) and noted that one of the three phones recovered from WHITE rang. Investigators also noted that on one of the other cell phones recovered from WHITE, there was an unopened iMessage notification on the lock screen from someone utilizing phone number TT-4370 (the number belonging to the person that identified themselves as "Craig" in speaking to TFO Almonte).

38. Based on the above, your Affiant asserts there is probable cause to issue the

requested criminal complaint against JUSTIN WHITE.



Joshua Gardner
Postal Inspector
U.S. Postal Inspection Service

Sworn to via telephone after a PDF was submitted
to the Court by email, per Fed. R. Crim. P. 4.1.


Jonathan D. Greenberg
UNITED STATES MAGISTRATE JUDGE

02-10-2023

DATE

